

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

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REVOLAR TECHNOLOGY INC.,  
a Colorado corporation,

Plaintiff,

v.

911Cellular LLC  
an Ohio limited liability company,

Defendant.

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Case No. \_\_\_\_\_

JURY TRIAL DEMANDED

**COMPLAINT**

Plaintiff Revolar Technology Inc. ("Plaintiff" or "Revolar"), for its Complaint with Jury Demand for patent infringement against Defendant 911Cellular, LLC. ("Defendant" or "911Cellular"), alleging, based on its own knowledge as to itself and its own actions and based on information and belief as to all other matters, as follows:

**PARTIES**

1. Revolar is a corporation existing under the laws of Colorado with its principal place of business at 1518 Blake Street, Denver, Colorado 80202.

2. On information and belief, 911Cellular is a limited liability company organized under the laws of the State of Ohio with its principal place of business at 6001 Cochran Road, Suite 911, Solon, Ohio 44139. 911Cellular can be served with process by serving its agent, Chad Salahshour, 21403 Chagrin Blvd., Suite 220, Beachwood, Ohio 44122.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 101, *et seq.*

4. This Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) and pendant jurisdiction over the other claims for relief asserted herein.

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b). Upon information and belief, 911Cellular has transacted business in this district and has committed, individually or in concert with others, acts of patent infringement in this district. In addition, 911Cellular resides in this district.

6. 911Cellular is subject to this Court's specific and general personal jurisdiction pursuant to due process and the Ohio Long Arm Statute. 911Cellular has general minimum contacts with this judicial district by being incorporated in this judicial district, by transacting business within this district—including at least a portion of the infringements alleged herein, by placing infringing products into the stream of commerce with the knowledge or understanding that such products are sold in the State of Ohio—including in this district, and deriving substantial revenue from goods and services provided to individuals in Ohio and in this district. Personal jurisdiction exists over 911Cellular.

### **THE TECHNOLOGY AND INTELLECTUAL PROPERTY**

7. Revolar is engaged in the business of, among other things, designing, developing, manufacturing, and distributing personal safety devices.

8. On February 3, 2009, U.S. Patent No. 7,486,194 ("the '194 Patent") was duly and legally issued by the United States Patent and Trademark Office ("USPTO") for an invention entitled "Personal Alarm System for Obtaining Assistance from Remote Recipients." *See* Exhibit A, attached hereto and incorporated by reference in its entirety.

9. The '194 Patent (the "Asserted Patent") teaches systems and methods for transmitting signals to a recipient, such as a contact, a monitoring center, or rescue or other

emergency authorities, from a remote communication device. Specifically, the invention addresses using a triggering key to activate the interface module in the case of an emergency, thereby causing the communication device to transmit a signal to the recipient. The "alarm system" of the Asserted Patent comprises a communication device (such as a cell phone), a triggering key (preferably designed to be easily carried by or attached to a user), and an interface module (which may be combined with or a part of the communication device).

10. Revolar is the owner of the Asserted Patent, with all substantive rights in and to that Patent, including the sole and exclusive right to prosecute this action and enforce the Asserted Patent against infringers, and to collect damages for all relevant times.

### **911CELLULAR'S INFRINGING CONDUCT**

11. 911Cellular bills itself as “the leading emergency communications software provider in the country.” 911Cellular offers a system (“the 911Cellular System”) including a mobile application and a Bluetooth panic button.

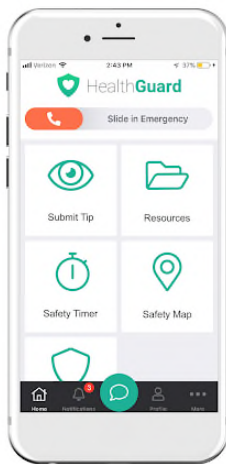
12. On information and belief, 911Cellular provides a website (<https://www.911cellular.com/>, which is incorporated herein by this reference) through which 911Cellular markets the 911Cellular System, including the “911Cellular Bluetooth Panic Button” shown below:



See <https://www.911cellular.com/bluetooth-panic-buttons/>. On information and belief, 911Cellular sells 911Cellular Panic Buttons to its customers in the United States, either directly or through a third-party intermediary/distributor.

13. The 911Cellular Bluetooth Panic Button is used with one or more mobile applications provided by 911Cellular (collectively, the "911Cellular Mobile Applications") to form the 911Cellular System.

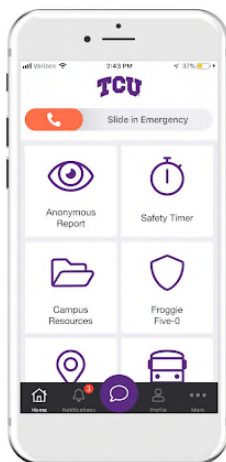
14. The 911Cellular Mobile Applications include 911Cellular-branded applications for various industries or applications, such as Your 911, CampusShield (school safety), and HealthGuard (healthcare safety).



See [https://play.google.com/store/apps/details?id=com.app.healthguard&hl=en\\_US](https://play.google.com/store/apps/details?id=com.app.healthguard&hl=en_US).

15. The 911Cellular Mobile Applications also include applications which are distributed by 911Cellular but, on information and belief, are branded for, and configured by 911Cellular to the specifications of, 911Cellular's customers, including college-branded mobile applications such as Rocky Shield (Fresno State University), FTC Shield (Florida Technical

College), Nova Safe (Villanova University), LSU Shield (Louisiana State University), and Frog Shield (Texas Christian University).



See [https://play.google.com/store/apps/details?id=com.noocellular.frogsafe&hl=en\\_US](https://play.google.com/store/apps/details?id=com.noocellular.frogsafe&hl=en_US).

16. The 911Cellular Bluetooth Panic Button is activated by pressing the button twice: “Click Twice to Get Help!” See <https://www.911cellular.com/bluetooth-panic-buttons/>. “When a Bluetooth panic button is activated, accurate location information and additional (optional) personal information can be sent to dispatchers who are able to deploy first responders the quickest.” See *id.* On information and belief, the communication is routed through the 911Cellular Mobile Applications. See <https://www.911cellular.com/safety-app/> (“Our Bluetooth panic buttons are easily paired with our safety apps for even faster access to emergency services.”).

17. The 911Cellular Mobile Applications are distributed and/or sold by 911Cellular, including through the Apple App store and the Google Play store.

## Information

Seller	911Cellular LLC
Size	18.7 MB
Category	<a href="#">Utilities</a>
Compatibility	Requires iOS 9.0 or later. Compatible with iPhone, iPad, and iPod touch.
Languages	English
Age Rating	Rated 4+
Location	This app may use your location even when it isn't open, which can decrease battery life.
Copyright	© 2019 911Cellular LLC
Price	Free

See <https://apps.apple.com/us/app/campusshield/id1019136154>.

<b>Updated</b> June 2, 2020	<b>Size</b> 14M	<b>Installs</b> 100+
<b>Current Version</b> 4.0.0	<b>Requires Android</b> 4.4 and up	<b>Content Rating</b> Everyone <a href="#">Learn More</a>
<b>Interactive Elements</b> <a href="#">Users Interact, Shares Location</a>	<b>Permissions</b> <a href="#">View details</a>	<b>Report</b> <a href="#">Flag as inappropriate</a>
<b>Offered By</b> 911Cellular	<b>Developer</b> <a href="#">Visit website</a> <a href="mailto:info@911Cellular.com">info@911Cellular.com</a> <a href="#">Privacy Policy</a> 6001 Cochran Road Suite 911 Solon, OH 44139	

See [https://play.google.com/store/apps/details?id=com.noocellular.frogsafe&hl=en\\_US](https://play.google.com/store/apps/details?id=com.noocellular.frogsafe&hl=en_US).

18. 911Cellular imports, offers to sell, and/or sells the 911Cellular System in the United States, which infringes the Asserted Patent.

19. Specifically, the 911Cellular System infringes at least Claims 31, 37, 38, 39 and 40 of the '194 Patent. An exemplary claim chart showing the 911Cellular System's infringement of Claim 39 of the '194 Patent is provided below.

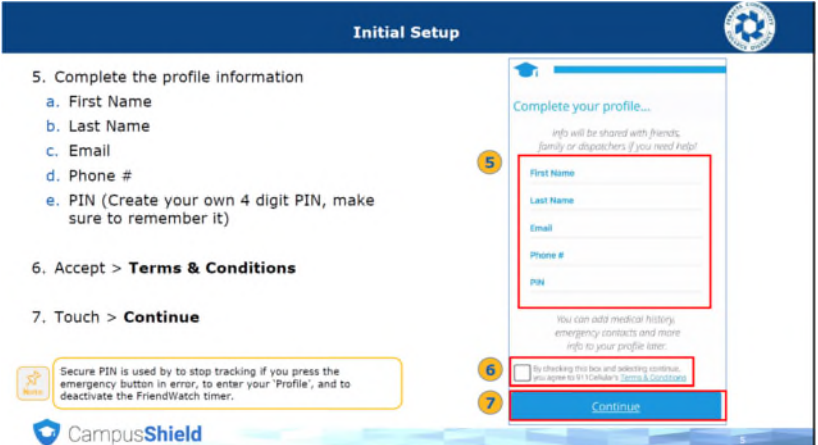
Claim Language	911Cellular's Infringement
39. A personal alarm system comprising:	<p>“Our unprecedented safety apps combine a mobile panic button with ‘see something, say something’ functionality.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p>
a communication device for transmitting a signal to a recipient;	<p>The 911Cellular System includes one or more of the 911Cellular Mobile Applications, such as CampusShield or HealthGuard, running on a smartphone (the communication device). When a user indicates an emergency, the communication device sends an alert (the signal) to a 911Cellular server and/or emergency personnel such as an Emergency Response Team (the recipient).</p> <div data-bbox="829 667 1024 1062" data-label="Image"> </div> <p>See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p> <div data-bbox="813 1178 1040 1635" data-label="Image"> </div> <p>See <a href="https://www.911cellular.com/campus-safety/">https://www.911cellular.com/campus-safety/</a>.</p> <p>“For even more community protection, you can easily set up an Emergency Response Team (ERT) to receive alerts when the emergency button is pressed. The ERT will get a text or call with the same pertinent information,</p>



Claim Language	911Cellular's Infringement
	<p>allowing even faster response times for those who may be closer to the scene of an incident.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p> <p>“The Safety App from 911Cellular, LLC is a smartphone app that allows a person to make an E911 phone call from his/her smartphone at the time of an emergency.” NIST Technical Note 1962, available at <a href="https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf">https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf</a>.</p> <p>“Once the person who is in an emergency situation clicks on the ‘Emergency’ button in the Safety App on his/her smartphone, the Basic Service Set Identifier (BSSID) of the Wi-Fi Access Point (AP) the smartphone is connected to is sent over the Internet to the 911Cellular server in the cloud. The server looks up the location of the AP based on the received BSSID, which is unique, and transmits the location to a PSAP along with an appropriate message.” NIST Technical Note 1962, available at <a href="https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf">https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf</a>.</p> <p>“The CampusShield safety app puts a mobile blue light in everyone’s pocket with a wide feature set and unprecedented emergency functionality that has helped save lives.</p> <p>The emergency button widget will even allow users to signal for emergency assistance without unlocking their phone.” See <a href="https://www.911cellular.com/campus-safety/">https://www.911cellular.com/campus-safety/</a>.</p>
<p>an interface module in operative communication with the communication device for controlling the communication device,</p>	<p>The 911Cellular system includes a 911Cellular Mobile Application such as CampusShield or HealthGuard (the interface module) which can cause the smartphone to transmit the alert to the receiver (controlling the communication device).</p> <p>See generally <a href="https://apps.apple.com/us/app/campusshield/id1019136154">https://apps.apple.com/us/app/campusshield/id1019136154</a> and <a href="https://play.google.com/store/apps/details?id=com.campus_shield&amp;hl=en_US">https://play.google.com/store/apps/details?id=com.campus_shield&amp;hl=en_US</a>.</p> <p>“Our unprecedented safety apps combine a mobile panic button with ‘see something, say something’ functionality.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p> <p>“The CampusShield safety app puts a mobile blue light in everyone’s pocket with a wide feature set and unprecedented emergency functionality that has helped save lives.</p>



Claim Language	911Cellular's Infringement
	<p>The emergency button widget will even allow users to signal for emergency assistance without unlocking their phone.” <i>See</i> <a href="https://www.911cellular.com/campus-safety/">https://www.911cellular.com/campus-safety/</a>.</p> <p>“The Safety App from 911Cellular, LLC is a smartphone app that allows a person to make an E911 phone call from his/her smartphone at the time of an emergency.” NIST Technical Note 1962, available at <a href="https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf">https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf</a>.</p> <p>“Once the person who is in an emergency situation clicks on the ‘Emergency’ button in the Safety App on his/her smartphone, the Basic Service Set Identifier (BSSID) of the Wi-Fi Access Point (AP) the smartphone is connected to is sent over the Internet to the 911Cellular server in the cloud. The server looks up the location of the AP based on the received BSSID, which is unique, and transmits the location to a PSAP along with an appropriate message.” NIST Technical Note 1962, available at <a href="https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf">https://nvlpubs.nist.gov/nistpubs/TechnicalNotes/NIST.TN.1962.pdf</a>.</p> <p><i>See also</i> <a href="https://play.google.com/store/apps/details?id=com.campus_shield&amp;hl=en">https://play.google.com/store/apps/details?id=com.campus_shield&amp;hl=en</a> (showing permissions for Campus Shield app including the ability to “directly call phone numbers”).</p>
the interface module having a user-programmable memory and a user interface; and	<p>The 911Cellular Mobile Applications (the interface module) include both a user-programmable memory and a user interface that allow users to input information. For example, the 911Cellular Mobile Applications include a feature called FriendWatch, which allows a user to input emergency contacts and set an activity timer. This functionality necessarily requires a user-programmable memory and a user interface.</p> <p>“Before potentially dangerous activities, FriendWatch helps users creates [sic] a virtual safety network with an activity timer that notifies emergency contacts if needed.” <i>See</i> <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p>

Claim Language	911Cellular's Infringement
	<div data-bbox="492 268 1369 787" data-label="Image"> </div> <p>See <a href="https://www.911cellular.com/campus-safety/spread-the-word/">https://www.911cellular.com/campus-safety/spread-the-word/</a>.</p> <p>“FriendWatch proves an extra layer of protection for potentially dangerous situations. App users can enter emergency contact phone numbers of friends and family members in their profile, then activate FriendWatch’s timer before the activity (running in the park at night, walking in a parking garage). If the timer hits 0:00 before the user enters their personal PIN, emergency contacts are notified.” See <a href="https://www.911cellular.com/safety-solutions-for-cities/">https://www.911cellular.com/safety-solutions-for-cities/</a>.</p> <p>As another example, the 911 Cellular Mobile Applications allow users to input personal information that may be used in the event of an emergency.</p> <p>“When an app user activates the emergency button, accurate location information and <u>additional (optional) personal information</u> can be sent to dispatchers who are able to deploy first responders the quickest. These dispatchers will receive this information through our expertly designed 911Cellular Portal.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a> <u>(emphasis added)</u>.</p> <p>“Most of the fields in the registration and profile, such as medical information, emergency contacts and physical descriptions, are optional and you should only fill them out if it’s your desire. . . If on campus, your location and profile information will be sent to campus police, so they can assist your better.” See <a href="https://www.utrgv.edu/police/services/mobile-app/index.htm">https://www.utrgv.edu/police/services/mobile-app/index.htm</a>.</p> <p>More generally, users create a profile to set up the 911Cellular Mobile Applications.</p>

Claim Language	911Cellular's Infringement
	 <p>See <a href="https://laney.edu/wp-content/uploads/2018/12/How_to_Setup_CampusShield_Desktop.pdf">https://laney.edu/wp-content/uploads/2018/12/How_to_Setup_CampusShield_Desktop.pdf</a>.</p>
a triggering key in operative communication with the interface module for activating the interface module,	<p>The 911Cellular system includes a 911Cellular Bluetooth Panic Button (the triggering key) that can be paired (in operative communication with) the 911Cellular Mobile Application (the interface module). When the user double clicks the triggering key, the interface module causes the smartphone to transmit an alert (activating the interface module).</p> <p>“Ideal for attaching to keychains, lanyards and clothing, 911Cellular’s Bluetooth panic buttons allow for rapid activation . . . sending hyper-accurate location information directly to safety forces (and updating periodically if on the move). Using a bluetooth panic button is the quickest way to signal for emergency assistance, especially when access to a computer or smartphone is not possible.” See <a href="https://www.911cellular.com/bluetooth-panic-buttons/">https://www.911cellular.com/bluetooth-panic-buttons/</a>.</p> <p>“Our Bluetooth panic buttons are easily paired with our safety apps for even faster access to emergency services.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p> <p>“Using a Bluetooth Safety Button is the quickest possible way to signal for emergency assistance, especially when your phone is not always readily accessible. A quick double click and safety forces can mobilize to the location of the activation, even if you are on the move.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p>

Claim Language	911Cellular's Infringement
	 <p data-bbox="440 470 1024 506">See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p>
<p data-bbox="201 548 402 1157">wherein the triggering key and the interface module respectively include a Bluetooth™ transmitter and a Bluetooth™ receiver for allowing the triggering key to remotely activate the interface module.</p>	<p data-bbox="440 548 1414 793">The 911Cellular Bluetooth Panic Button (the triggering key) and the 911Cellular Mobile Applications (the interface module) communicate using Bluetooth communication protocols. The 911Cellular Bluetooth Panic Button must include a Bluetooth transmitter to be able to transmit the alarm to the 911Cellular Mobile Applications. The 911Cellular Mobile Applications must likewise include a Bluetooth receiver to be able to receive the alarm from the 911Cellular Bluetooth Panic Button.</p> <p data-bbox="440 835 1398 1087">“Ideal for attaching to keychains, lanyards and clothing, 911Cellular’s Bluetooth panic buttons allow for rapid activation . . . sending hyper-accurate location information directly to safety forces (and updating periodically if on the move). Using a bluetooth panic button is the quickest way to signal for emergency assistance, especially when access to a computer or smartphone is not possible.” See <a href="https://www.911cellular.com/bluetooth-panic-buttons/">https://www.911cellular.com/bluetooth-panic-buttons/</a>.</p> <p data-bbox="440 1129 1414 1234">“Our Bluetooth panic buttons are easily paired with our safety apps for even faster access to emergency services.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p> <p data-bbox="440 1276 1398 1455">“Using a Bluetooth Safety Button is the quickest possible way to signal for emergency assistance, especially when your phone is not always readily accessible. A quick double click and safety forces can mobilize to the location of the activation, even if you are on the move.” See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p>  <p data-bbox="440 1688 1024 1724">See <a href="https://www.911cellular.com/safety-app/">https://www.911cellular.com/safety-app/</a>.</p>

20. On May 22, 2020, Revolar sent a letter to 911Cellular regarding its infringement of the '194 Patent via email, FedEx, and certified mail. 911Cellular acknowledged receipt of the letter in a responsive letter from an attorney representing 911Cellular dated June 2, 2010. As such, 911 Cellular received notice of its infringement no later than May 22, 2020.

**FIRST CLAIM FOR RELIEF**  
**(Direct Patent Infringement of U.S. Patent No. 7,486,194**  
**in violation of 35 U.S.C. § 271(a))**

21. Revolar incorporates the foregoing paragraphs as if fully set forth herein.

22. 911Cellular made, has made, used, imported, provided, supplied, distributed, sold, and/or offered for sale in the United States the 911Cellular System, which include the infringing features. The 911Cellular System includes the 911Cellular Bluetooth Panic Button and the 911Cellular Mobile Applications that can be used on a variety of remote computing devices and gather and transmit location-specific information. See the exemplary claim chart provided above.

23. By doing so, 911Cellular has directly infringed (literally and/or under the doctrine of equivalents) at least Claims 31, 37, 38, 39, and 40 of the '194 Patent. 911Cellular's infringement in this regard is ongoing and not limited to the representative claim included in the chart.

24. 911Cellular has also directly infringed the Asserted Patent by exercising direction or control over the use of the 911Cellular System by its customers. When 911Cellular's customers download and use the 911Cellular Mobile Applications, and/or when 911Cellular's customers purchase the 911Cellular Emergency Button, 911Cellular is putting the 911Cellular System into service and conditions the benefit received by each customer from using the 911Cellular System (which utilizes the systems and methods taught by the Asserted Patent), such benefit including improved data management across a variety of devices, only if the 911Cellular System is used in

the manner prescribed by 911Cellular. Use of the 911Cellular System in such manner infringes the Asserted Patent.

25. Revolar has been damaged as a result of the infringing conduct by 911Cellular alleged above. Thus, 911Cellular is liable to Revolar in an amount that adequately compensates it for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

26. 911Cellular's infringement of the Asserted Patent has been and continues to be willful and intentional and with full knowledge of the existence and validity thereof.

27. The willful and intentional nature of 911Cellular's infringement entitles Revolar to an award of treble damages pursuant to 35 U.S.C. § 284, and to an award of its attorneys' fees pursuant to 35 U.S.C. § 285.

28. Revolar will continue to suffer damages and irreparable harm unless 911Cellular is restrained and enjoined by this Court, pursuant to 35 U.S.C. § 283, from further infringement of the Asserted Patent.

**SECOND CLAIM FOR RELIEF**  
**(Indirect Patent Infringement of U.S. Patent No. 7,486,194**  
**in violation of 35 U.S.C. §§ 271(b) & (c))**

29. Revolar incorporates the foregoing paragraphs as if fully set forth herein.

30. 911Cellular has also indirectly infringed the Asserted Patent by inducing others to directly infringe the Asserted Patent. 911Cellular has induced the end-users, 911Cellular's customers, to directly infringe (literally and/or under the doctrine of equivalents) the Asserted Patent in the United States by using the 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications. 911Cellular took active steps, directly and/or through contractual relationships with others, with the specific intent to cause them to use the 911Cellular

System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications in a manner that infringes one or more claims of the Asserted Patent, including, for example, Claims 31, 37, 38, 39, and 40 of the '194 Patent. Such steps by 911Cellular included, among other things, advising or directing customers and end-users to use the 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications in an infringing manner; advertising and promoting the use of the 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications in an infringing manner; and/or distributing instructions that guide users to use the accused products in an infringing manner. 911Cellular is performing these steps, which constitute induced infringement, with the knowledge of the Asserted Patent and with the knowledge that the induced acts constitute infringement. 911Cellular is aware that the normal and customary use of the 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications by 911Cellular's customers infringe the Asserted Patent. 911Cellular's inducement is ongoing.

31. 911Cellular has also indirectly infringed by contributing to the infringement of the Asserted Patent. 911Cellular has contributed to the direct infringement of the Asserted Patent by the end-user of the 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications in the United States. The 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications have features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe the Asserted Patent, including, for example, Claims 31, 37, 38, 39, and 40 of the '194 Patent. Specifically, the 911Cellular System, 911Cellular Bluetooth Panic Button, and/or 911Cellular Mobile Applications includes an alarm device (*i.e.*, the 911Cellular Bluetooth Panic Button) that works with the 911Cellular Mobile Applications on a user's smartphone or smart watch to send an

emergency signal to predetermined recipients. The 911Cellular Bluetooth Panic Button is useless without the user's smartphone or smartwatch and requires these communication devices to send the emergency signal. The 911Cellular Mobile Applications include features such as improved data management across a variety of devices and emergency notification signals that infringe the Asserted Patent. The 911Cellular Bluetooth Panic Button's features and the 911 Cellular Mobile Applications' features constitute a material part of the invention of one or more of the claims of the Asserted Patent and are not staple articles of commerce suitable for substantial non-infringing use. 911Cellular's contributory infringement is ongoing.

32. 911Cellular had knowledge of the Asserted Patent at least as of May 22, 2020, and in no case later than the filing of the Complaint in this action.

33. 911Cellular's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by 911Cellular.

34. 911Cellular's indirect infringement of the Asserted Patent is, has been, and continues to be willful, intentional, deliberate, and/or in conscious disregard of Revolar's rights under the Asserted Patent.

35. Revolar has been damaged as a result of the infringing conduct by 911Cellular alleged above. Thus, 911Cellular is liable to Revolar in an amount that adequately compensates it for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

36. The willful and intentional nature of 911Cellular's infringement entitles Revolar to an award of treble damages pursuant to 35 U.S.C. § 284, and to an award of its attorneys' fees pursuant to 35 U.S.C. § 285.



37. Revolar will continue to suffer damages and irreparable harm unless 911Cellular is restrained and enjoined by this Court, pursuant to 35 U.S.C. § 283, from further infringement of the Asserted Patent.

**PRAYER FOR RELIEF**

Revolar requests that the Court find in its favor and against 911Cellular, and that the Court grant Revolar the following relief:

A. Judgment that one or more claims of the Asserted Patent has been infringed, either literally and/or under the doctrine of equivalents, by 911Cellular;

B. A permanent injunction enjoining 911Cellular and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the Asserted Patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the Asserted Patent by such entities;

C. Judgment that 911Cellular accounts for and pays to Revolar all damages to and costs incurred by Revolar because of 911Cellular's infringing activities and other conduct complained of herein, including an award of all increased damages to which Revolar is entitled under 35 U.S.C. § 284;

D. That this Court declare this an exceptional case and award Revolar its attorneys' fees and costs in accordance with 35 U.S.C. § 285;

E. Pre-judgment and post-judgment interest on the damages caused to it by reason of 911Cellular's infringing activities and other conduct complained of herein; and

F. Such other and further relief as the Court may deem just and proper under the circumstances.

**DEMAND FOR JURY TRIAL**

Revolar hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: August 27, 2020

Respectfully submitted,

*/s/ Andrew Alexander*

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Raymond Rundelli (0030778)  
Andrew Alexander (0091167)  
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***COUNSEL FOR PLAINTIFF  
REVOLAR TECHNOLOGY INC.***